

# EXHIBIT 19

PUBLIC REDACTED VERSION

(PREVIOUSLY FILED UNDER SEAL AT ECF 182-19)

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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In Re: )  
 )  
 ) No. 2:21-cv-00563-JCC  
VALVE ANTITRUST LITIGATION )  
 )

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VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF  
KASSIDY GERBER

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9:05 A.M.

THURSDAY, OCTOBER 5, 2023  
701 FIFTH AVENUE, SUITE 5100  
SEATTLE, WASHINGTON

Reported by: Tami Lynn Vondran, CRR, RMR, CCR/CSR  
WA CCR #2157; OR CSR #20-0477; CA CSR #14435

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1 have you had any kind of training on any topic that you  
2 understood to relate to antitrust?

3 MR. SKOK: And, again, Ms. Gerber, to the  
4 extent you can answer this without disclosing  
5 attorney-client communications, you may. But to the  
6 extent that he's asking you about the content of  
7 communications you've had with lawyers, that's  
8 attorney-client privilege, so please don't disclose  
9 that.

10 THE WITNESS: Okay.

11 Q. (BY MR. O'ROURKE) So it's a yes-or-no  
12 question. Either you've had the training or you have  
13 not.

14 MR. SKOK: Well, to the extent that she's had  
15 those communications with lawyers, you're asking about  
16 the substance of those attorney-client communications.

17 That's the type of communication that I'm  
18 instructing you not to answer.

19 THE WITNESS: Okay.

20 Q. (BY MR. O'ROURKE) Your answer?

21 A. I'm not going to answer.

22 Q. You're refusing to answer?

23 A. Yes.

24 MR. SKOK: Well, she's been instructed not to  
25 answer. I think she's following counsel's instructions.

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1 MR. O'ROURKE: So just so we're very clear,  
2 Mr. Skok --

3 MR. SKOK: Skok, please. Skok.

4 MR. O'ROURKE: Skok. Thank you.

5 MR. SKOK: Thank you.

6 MR. O'ROURKE: You -- the position you're  
7 taking now in instructing the witness not to answer is,  
8 I am not permitted to ask an employee of Valve whether  
9 or not that employee has had compliance training on  
10 antitrust?

11 MR. SKOK: No. The question is asking for the  
12 substance of what kind of training she may have had by  
13 counsel. To the extent there's a training by counsel,  
14 that would disclose the substance of attorney-client  
15 communications. The instruction is not to answer in a  
16 way that discloses the substance of attorney-client  
17 communications. I did tell the witness if she can  
18 answer otherwise, then she's free to.

19 Q. (BY MR. O'ROURKE) My question is: Have  
20 you -- during the time you've worked at Valve, about 11  
21 and a half years, have you had training on antitrust  
22 compliance?

23 MR. SKOK: And the same instructions,  
24 Ms. Gerber.

25 Q. (BY MR. O'ROURKE) You need to answer.

1 A. No. I'm not answering.

4 MR. SKOK: Yeah. It's probably a good time  
5 for a break to consult on some of these issues --

7 MR. SKOK: -- as well as we've been going  
8 about an hour.

11 (Brief break taken.)

[illegible]

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[REDACTED]
[REDACTED]

23 Q. (BY MR. O'ROURKE) [REDACTED]

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[REDACTED]

23 MR. SKOK: Object to the form.

24 Q. (BY MR. O'ROURKE) What's the difference?

25 MR. SKOK: Object to the form.



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1 Q. So I'm just trying to understand the  
2 distinction between the two situations, where in both  
3 cases a Steam customer is buying the game and then, in  
4 this situation, learning that it's for sale at a lower  
5 price, why does it matter if the lower price is on Steam  
6 or the lower price is on another online store?

7 A. Can you repeat the question.

8 Q. Sure.

9 What's the distinction between a Steam  
10 customer who buys on Steam two days before a sale on  
11 Steam, versus the Steam customer who buys on Steam and  
12 then learns two days later the same game is for sale at  
13 a lower price on a different store?

14 A. I don't -- I don't think there is a  
15 distinction. I think that's -- I don't have an issue  
16 with that.

■ ■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ ■ [REDACTED]  
■ [REDACTED] [REDACTED]  
■ [REDACTED]  
■ ■ [REDACTED]  
■ ■ [REDACTED] [REDACTED]







[illegible]

